

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	Chapter 11
)	
TOYS “R” US, INC., <i>et al.</i> , ¹)	Case No. 17-34665
)	
Debtors.)	(Jointly Administered)
)	
)	
TRU CREDITOR LITIGATION TRUST,)	
)	
Plaintiff,)	Adv. Proceeding No. 20-03038-KLP
)	
v.)	
)	
DAVID A. BRANDON, <i>et al</i>)	
)	
Defendants.)	
)	

DEFENDANTS' MOTION FOR EXPEDITED HEARING

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are set forth in the *Order (I) Directing Joint Administration of Chapter 11 Cases and (II) Granting Related Relief*. (Dkt No. 78.) The location of Debtors' service address is One Geoffrey Way, Wayne, NJ 07470.

Defendants David A. Brandon, Joshua Bekenstein, Matthew S. Levin, Paul E. Raether, Nathaniel H. Taylor, Joseph Macnow, Wendy A. Silverstein, Richard Goodman, Michael Short, and Richard Barry (collectively, the “Defendants”) request an expedited hearing on *Defendants’ Motion Upon Consent and Memorandum of Law for Sealing of Settlement Agreement and Related Documents* [Docket No. 451] (the “Motion”), and certify that they have carefully examined the matter and concluded that there is a true need for an expedited hearing; have not created the emergency through any lack of due diligence; and have made a bona fide effort to resolve the matter without a hearing.

**DAVID A. BRANDON;
JOSHUA BEKENSTEIN;
MATTHEW S. LEVIN;
PAUL E. RAETHER;
NATHANIEL H. TAYLOR;
JOSEPH MACNOW;
WENDY A. SILVERSTEIN;
RICHARD GOODMAN;
MICHAEL SHORT; and
RICHARD BARRY**

Dated: October 6, 2022
Richmond, Virginia

By: /s/ J. Brandon Sieg
Robert I. Bodian (admitted *pro hac vice*)
Peter A. Biagetti (admitted *pro hac vice*)
Scott A. Rader (admitted *pro hac vice*)
John P. Sefick (admitted *pro hac vice*)
Kaitlin R. Walsh (admitted *pro hac vice*)
Amanda B. Asaro (admitted *pro hac vice*)
Kerime S. Akoglu (admitted *pro hac vice*)
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2022, I caused a true and accurate copy of the foregoing to be electronically served by the Court's CM/ECF System on all parties that receive CM/ECF notification in the above-captioned case.

DATED: October 6, 2022

By: /s/ J. Brandon Sieg
Counsel

Robert I. Bodian (admitted *pro hac vice*)
 Peter A. Biagetti (admitted *pro hac vice*)
 Scott A. Rader (admitted *pro hac vice*)
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Counsel for Defendants

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ORDER GRANTING MOTION FOR EXPEDITED HEARING

² The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are set forth in the *Order (I) Directing Joint Administration of Chapter 11 Cases and (II) Granting Related Relief*. (Dkt No. 78.) The location of Debtors' service address is One Geoffrey Way, Wayne, NJ 07470.

Upon the Motion for Expedited Hearing (the “Motion”) of the above-captioned Defendants for an entry of an order (“Order”) authorizing an expedited hearing on *Defendants’ Motion Upon Consent and Memorandum of Law for Sealing of Settlement Agreement and Related Documents* [Docket No. 451] (the “Motion”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference from the United States District Court for the Eastern District of Virginia, dated July 10, 1984; and that this Court may enter a final consent order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. § 1409; and this Court having found that the relief requested in the Motion is in the best interest of the parties; and this Court having found that Defendants’ notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing, therefore it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. *Defendants’ Motion Upon Consent and Memorandum of Law for Sealing of Settlement Agreement and Related Documents* [Docket No. 451] (the “Motion”) shall be heard on an expedited basis.
3. The requirement under Local Bankruptcy Rule 9013-1(G) to file a memorandum of law in connection with the Motion is waived.
4. Notice of Motion as provided herein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) are satisfied by such notice.

5. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

6. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: _____, 2022
Richmond, Virginia

THE HONORABLE KEITH L. PHILLIPS
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

By: /s/ J. Brandon Sieg
Counsel

Robert I. Bodian (admitted *pro hac vice*)
Peter A. Biagetti (admitted *pro hac vice*)
Scott A. Rader (admitted *pro hac vice*)
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- and -

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Counsel for Defendants

Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

/s/ J. Brandon Sieg
Counsel